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P3/3/103
PATENT

Practitioner's Docket No. 5713-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Swierczek, Remi

Application No.: 09/680,172

Filed: October 5, 2000

For: MUSIC IDENTIFICATION SYSTEM

Group No.: 3625

Examiner: Gart, Matthew

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
BEFORE MAILING DATE OF EITHER A FINAL ACTION
OR NOTICE OF ALLOWANCE (37 C.F.R. § 1.97(c))

TIME OF TRANSMITTAL OF ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT

1. The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either

(1) a final action under § 1.113 or
(2) a notice of allowance under § 1.311

whichever occurs first.

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CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is **optional**.)

I hereby certify that, on the date shown below, this correspondence is being:

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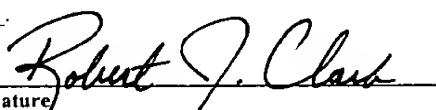
deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231
37 C.F.R. § 1.8(a)
 with sufficient postage as first class mail.

37 C.F.R. § 1.10*

as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (703) _____


Signature

Date: March 18, 2003

Robert J. Clark
(type or print name of person certifying)

* Only the date of filing (1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under 1.8 continues to be taken into account in determining timeliness. See 1.703(f). Consider "Express Mail Post Office to Addressee" (1.10) or facsimile transmission (1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

STATEMENT

2. Accompanying this transmittal is a statement as specified in 37 C.F.R. section 1.97(e).

A duplicate of this paper is attached.

Date: March 18, 2003

Reg. No.: 45,835
Tel. No.: 330-864-5550
Customer No.: 021324



Signature of Practitioner

Robert J. Clark
Hahn Loeser & Parks, LLP
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1225 West Market Street
Akron, OH 44313-7188



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Swierczek, Remi Examiner: Gart, Matthew
Serial Number: 09/680,172 Art Unit: 3625
Filing Date: October 5, 2000 Date: March 18, 2003
For: MUSIC IDENTIFICATION SYSTEM

Assistant Commissioner of Patents
Washington, DC 20231

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97**

This Supplemental Information Disclosure Statement is filed after the mailing date of the first Office Action on the merits, but before the mailing date of either a final action under §1.113 or a notice of allowance under §1.311, and therefore is considered timely under 37 CFR §1.97(c). Accompanying this Supplemental Information Disclosure Statement is a statement as specified in 37 CFR §1.97(e).

According to the terms of 37 CFR §1.97(g), this Supplemental Information Disclosure Statement shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this Supplemental Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13, at 25. This Information Disclosure Statement is made to comply with the duty of candor imposed on all individuals associated with the filing or prosecution of this application, as defined by 37 CFR §1.56(c).

A list of three (3) references cited by the applicant is enclosed on the PTO/SB/08A and PTO/SB/08B (substitute PTO-1449) forms, which are attached and made a part thereof.

The foregoing Information Disclosure Statement Under 37 C.F.R. §1.97 is based upon the information contained in the undersigned attorney's file as of the filing date of this statement, and is inclusive of the best information known to the undersigned at that date. Prompt consideration of the Information Disclosure Statement under 37 C.F.R. §1.97 and the references cited therein by the Examiner is respectfully requested.

Respectfully submitted,
HAHN LOESER & PARKS, LLP



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Attorney Docket No. 5713-2

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PATENT

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Filed: October 5, 2000

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Examiner: Gart, Math

Commissioner for Patents
Washington, D.C. 20231

STATEMENT FOR INFORMATION DISCLOSURE
UNDER 37 C.F.R. § 1.97(e)

IDENTIFICATION OF INFORMATION DISCLOSURE STATEMENT
FOR WHICH THIS STATEMENT IS BEING MADE

1. This statement is being made for the Information Disclosure Statement accompanying this statement.

STATEMENT

2. I, the person signing below, state that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge, after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. § 1.97(e)(2).

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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facsimile transmitted to the Patent and Trademark Office, (703) _____


Signature _____

Date: March 18, 2003

Robert J. Clark
(type or print name of person certifying)

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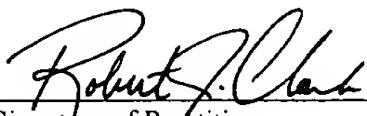
IDENTIFICATION OF PERSON MAKING THIS STATEMENT

3. The person making this certification is:

(a) the practitioner who signs below on the basis of the information supplied by the inventor(s).

Date: March 18, 2003

Reg. No.: 45,835
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Customer No.: 021324


Robert J. Clark
Signature of Practitioner

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